

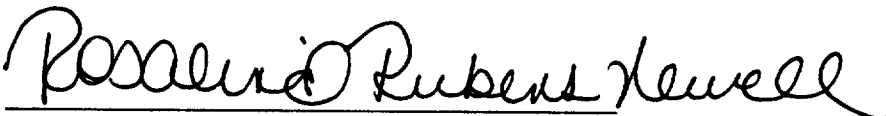
Entered - 9-04-01- sb
CL - 01L0546 - ALEXIS HOLMES

01-R -1762

CLAIM OF: **GLORIA LINSEY**
2424 Connally Drive
Atlanta, Georgia 30344

For vehicular damages alleged to have been sustained as a result of
City workers causing paint to spill on June 27, 2001 at 1527
Willowbrook Drive, SW.

THIS ADVERSE REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0546

Date: 10/15/01

Claimant /Victim GLORIA LINSEY

BY: (Atty) _____

Address: 2424 Connally Drive East Point Georgia 30344

Subrogation: _____ Claim for Property damage \$ 1,609.97 Bodily Injury \$ _____

Date of Notice: 8/8/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 6/27/01 Place: 1527 Willowbrook Drive, SW

Department Public Works Division: Solid Waste

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained vehicular damages when she drove her vehicle through paint that City workers caused to spill out of a can onto the ground. However, in an investigation it was determined that City workers saw the five gallon can of paint at the location but did not removed it because paint is considered hazardous waste material. Furthermore, the City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee _____ Claimant X Other _____ Written X Oral _____

Pictures X Diagrams _____ Reports: Police _____ Dept Report X Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____


Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10/16/01

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
68 Mitchell Street, S.W.
Atlanta, GA 30335

RECEIVED

RE: CLAIM FOR DAMAGES

AUG 08 2001

TODAY'S DATE: 07-09-01

Dear Sir:

MUNICIPAL CLERK

ENTERED - 9-4-01 - SB

0110546 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the sum of \$1609.97 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 06 27 01 (month day year) 2. Police called _____ (yes) (NO) ✓
3. Location of incident: 1527 Willowbrook DR, S.W. Atlanta, GA. 30311
4. Name of your insurance company ? City of Atlanta ? Policy # City of Atlanta. ✓
5. State what and how incident occurred: The garbage man or your Trash men open up a large gallon of off white paint & dropped it down on ground, and didn't secure top on nor place the gallon of paint in level position on ground, so the paint spill out all on ground (grass & street) curve side of my mother's house. I arrived at my mother's home (dark) & park my car on the side of her house and ended up in all that paint. Paint got all over my car on side doors, tires & wheel covers. (use other side if necessary)
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION! Your Representative came out (MR. [unclear]) he took pictures, made comments about paint. ask for me to send in estimates on paint, tires, wheel covers. *See attached
7. The registered owner must make the claim for vehicle damages. Complete the following and attached two (2) estimates of repair.

Your vehicle: Toyota 1995 322XFG Gloria Linsey
(make) (year) (tag#) (driver's name)

City vehicle: Garbage Truck - Company man Sanitation
(make) (driver's name) (department)

8. Witness: Joe Ann Hector 1527 Willowbrook DR. (404) 752-7668 / 404 752-6495
(name) (address) (phone)

9. The acknowledgment of this claim in no way waives the Governmental Immunity of the City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT!

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE

Gloria Linsey (claimant) (SEAL)
2424 Connally Dr.
East Point, GA 30344
(city) (state) (zip)
(404) 766-8681 (404) 529-1172
(home) (phone) (work)